IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 852 of 2005 (S/S)

1. Roshan Das
   S/o Sri Shiv Das
2. Smt. Pingla Devi
   S/o Sri Chatter Singh Rawat

……. Petitioners

Versus

1. State of Uttaranchal.
   through Conservator of Forest,
2. District Forest Officer
   Tehri Dam Van Prabhag,
   Tehri Garhwal.

…….. Respondents

Mr. Arun Mohan Saklani, counsel for the petitioners.
Mr. N.P. Sah, Standing Counsel for the respondents.

Hon'ble Prafulla C. Pant, J.

Learned counsel for the parties are present.

2) By means of this writ petition, the petitioners, who are engaged as Plantation / Vanikaran Chowkidars on daily wages with the Forest Department, have sought their regularization in service.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in 2006 A.I.R.S.C.W. Page 1991,*** that daily wage workers and the persons employed without undergoing regular selection process under the rules, should not be permitted to be absorbed or regularized in the service, against the

Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

5) The writ petition is dismissed. Interim order dated 30.06.2005, is hereby, vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt .: November 20, 2006
H.Negi